असा. क्र. ५४ रजिस्टर्ड नं. टीईसीएच/४७-३०३/एमबीआय/२००१



महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

शनिवार, मे ५, २००१/वैशाख १५, शके १९२३

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग चार-अ

महाराष्ट्र शासनाने केंद्रीय अधिनियमान्वये तयार केलेले (भाग एक, एक-अ आणि एक-ल यांमध्ये प्रसिद्ध केलेले नियम व आदेश यांव्यतिरिक्त) नियम व आदेश.

FINANCE DEPARTMENT

Mantralaya, Mumbai 400 032, dated the 3rd May 2001

NOTIFICATION

CONSTITUTION OF INDIA

No. घभाभ-1001/CR-8/SER-5.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Maharashtra is hereby pleased to make the following rules further to amend the Bombay Civil Services Rules, 1959, namely :—

1. (1) These rules may be called the Bombay Civil Services (Amendment) Rules, 2001.

(2) They shall be deemed to have come into force on the 1st February 2001.

2. In Appendix XV appended to the Bombay Civil Services Rules, 1959 (hereinafter referred to as "the Principal Rules"),—

(*A*) in rule 4, after sub-rule (*vii*), the following sub-rule shall be added, namely:—

" (*viii*) Notwithstanding anything contained in these rules, if in a family living in the same private accommodation—

(*a*) one or more members are Government servants; or

(*b*) one or more members are other employees; or

(*c*) one or more members are Government servants and one or more members are other employees :

then in all the above mentioned types of cases, House Rent Allowance shall be admissible only to the employee who draws basic pay higher than that of any other such member of the family.

Note 1.—For the purpose of this sub-rule, "family" means wife or husband, as the case may be, legitimate children, step children, mother and father of such Government servant or other employee. (An adopted child shall be considered to be a legitimate child if, under the personal law applicable to the Government servant or such other employee, an adoption is legally recognised, conferring on it the status of a natural child).

Note 2.—For the purpose of this sub-rule, the term "other employees" shall include,—

(*a*) full-time teaching and non-teaching staff of Primary and Secondary Schools of aided educational institutions,

(*b*) teaching and non-teaching staff of Agricultural and Non-Agricultural Universities and affiliated colleges,

(*c*) employees mentioned in paragraph 6 of Government Resolution, Finance Department, No. मभवा-1186/394/SER-10, dated the 18th August 1986 (if the present scheme of House Rent Allowance is applicable to them).

(*d*) employees of Zilla Parishads,

(*e*) employees of Municipalities and Nagar Parishads to whom the House Rent Allowance scheme is applicable with Government grants,

(*f*) teaching and non-teaching staff drawing pay in the U.G.C. scales of pay, and

(*g*) all other employees to whom Government House Rent Allowance scheme is made applicable.

Note 3.—While preferring claim for House Rent Allowance, the Government servant or the other employee drawing the highest basic pay in the family shall submit, every financial year, to his or her office, a certificate in Form-A in Annexure III, as also a certificate in Form-B in Annexure III, issued separately by the office of each of the remaining members of his/her family, residing with him/her and who is/are Government servant or other employee. If the family consists of only one Government servant or other employee, he/she shall submit, every financial year, to his or her office, the certificate in Form-C in Annexure III.

Note 4.—While preferring the claim for House Rent Allowance for the next financial year, an employee shall submit appropriate certificate/s, as above, every year in the month of February or whenever there is a change in the circumstances certified earlier. An employee shall also submit such certificates at the time of his or her first appointment.

Note 5.—The Head of Office shall take into consideration the claim for House Rent Allowance of an employee only after the submission of appropriate certificate/s mentioned in Note 3 above.";

(*B*) after ANNEXURE II, the following ANNEXURE shall be added, namely :—

"ANNEXURE III

(Forms of certificates to be furnished by the Government Servant or other employee, while preferring the claim for House Rent Allowance, at the time of first appointment, every year in the month of February and when there is a change in the circumstances certified earlier.)

FORM-A

(Certificate to be furnished by the Government servant or other employee when any other member of his family is Government servant and/or other employee and is residing with him/her.)

I, Shri/Smt ....

(Designation) ....

(Office) ....

*(Address) ....

....

certify that no member of my family, who is a Government servant or other employee as defined in *note 2* of this sub-rule and who is residing with me, shall prefer a claim for House Rent Allowance for the financial year 20 -20 from his/her office.

Date: Signature of an employee

FORM-B

(Certificate to be issued separately by the office of each of the remaining members of the family of the Government servant or other employee, residing with him/her and who is/are the Government servant or other employee/s.)

It is certified that Shri/Smt ....

(Designation) ....

(Office) ....

*(Address) ....

....

....

shall not be paid House Rent Allowance for the financial year 20 -20 . as he/she has not preferred any claim for that, for this financial year.

Date :

(Signature of the Officer)
Name & Designation,
Office/Department

FORM-C

(Certificate to be furnished by the Government servant or other employee, when no other member of his family, who is Government servant or other employee, is residing with him.)

I, Shri/Smt. ....

(Designation) ....

(Office) ....

*(Address) ....

....

certify that,—

(A) Persons residing with me and who are members of my family, shall not include any Government servant or other employee as defined in *note* 2 of this sub-rule.

(B) No other member of my family, who is a Government servant or other employee as defined in *note* 2 of this sub-rule is residing with me.

Date: Signature of an employee.

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*Mention detail address.

3. In APPENDIX XVII appended to the principal Rules,—

(A) In rule 4, in sub-rule (b), after clause (*v*), the following clause shall be added, namely:-

"(*v*) Notwithstanding anything contained in these rules, if in a family living in the same private accommodation —

(*a*) one or more members are Government servants; or

(*b*) one or more members are other employees; or

(*c*) one or more members are Government servants and one or more members are other employees,

then in all the above mentioned types of cases, House Rent Allowance shall be admissible only to the employee who draws basic pay higher than that of any other such member of the family.

Note 1.—For the purpose of this clause, "family" means wife or husband, as the case may be, legitimate children, step children, mother and father of such Government servant or other employee. (An adopted child shall be considered to be a legitimate child if, under the personal law applicable to the Government servant or such other employee, an adoption is legally recognised, conferring on it the status of a natural child).

Note 2.—For the purpose of this clause, the term "other employees" shall include,—

(*a*) full-time teaching and non-teaching staff of Primary and Secondary Schools of aided educational institutions,

(*b*) teaching and non-teaching staff of Agricultural and Non-Agricultural Universities and affiliated colleges,

(*c*) employees mentioned in paragraph 6 of Government Resolution, Finance Department, No.मभत्ता-1186/394/SER-10,dated the 18 August 1986 (if the present scheme of House Rent Allowance is applicable to them),

(*d*) employees of Zilla Parishads.

(*e*) employees of Municipalities and Nagar Parishads to whom the House Rent Allowance scheme is applicable with Government grants,

(*f*) teaching and non-teaching staff drawing pay in the U.G.C scales of pay, and

(*g*) all other employees to whom Government House Rent Allowance scheme is made applicable.

Note 3.—While preferring claim for House Rent Allowance, the Government servant or the other employee drawing the highest basic pay in the family shall submit, every financial year, to his or her office, a certificate in Form-A in Annexure

III, as also a certificate in Form-B in Annexure III, issued separately by the office of each of the remaining members of his/her family, residing with him/her and who is/are Government servant or other employee. If the family consists of only one Government servant or other employee, he/she shall submit, every financial year, to his or her office, the certificate in Form-C in Annexure III.

Note 4.—While preferring the claim for House Rent Allowance for the next financial year, an employee shall submit appropriate certificate/s, as above, every year in the month of February or whenever there is a change in the circumstances certified earlier. An employee shall also submit such certificates at the time of his or her first appointment.

Note 5.—The Head of Office shall take into consideration the claim for House Rent Allowance of an employee only after the submission of appropriate certificate/s mentioned in Note 3 above.";

(*B*) after ANNEXURE II, the following ANNEXURE shall be added, namely.—

"ANNEXURE III

(Forms of certificates to be furnished by the Government servant or other employee, while preferring the claim for House Rent Allowance, at the time of first appointment, every year in the month of February and when there is a change in the circumstances certified earlier.)

FORM-A

(Certificate to be furnished by the Government servant or other employee when any other member of his family is Government servant and/or other employee and is residing with him/her.)

I, Shri/Smt ....

(Designation) ....

(Office) ....

*(Address) ....

....

certify that no member of my family, who is a Government servant or other employee as defined in note 2 of this clause and who is residing with me, shall prefer a claim for House Rent Allowance for the financial year 20 -20 from his/her office.

Date: Signature of an employee

FORM-B

(Certificate to be issued separately by the office of each of the remaining members of the family of the Government servant or other employee, residing with him/her and who is/are the Government servant or other employee/s.)

It is certified that Shri/Smt ....

(Designation) ....

(Office) ....

*(Address) ....

....

shall not be paid House Rent Allowance for the financial year 20 -20 as he/she has not preferred any claim for that, for this financial year.

Date: (Signature of the Officer)
Name & Designation,
Office/Department

FORM-C

(Certificate to be furnished by the Government servant or other employee, when no other member of his family, who is Government servant or other employee, is residing with him.)

I, Shri./Smt. ....

(Designation) ....

(Office) ....

*(Address) ....

....

certify that,—

(A) Persons residing with me and who are members of my family, shall not include any Government servant or other employee as defined in *note 2* of this clause.

(B) No other member of my family, who is a Government servant or other employee as defined in *note 2* of this clause is residing with me.

Date: Signature of an employee."

*Mention detail address.

By order and in the name of the Governor of Maharashtra,

S. V. LAGWANKAR
Joint Secretary to Government.

शासकीय मध्यवर्ती मुद्रणालय, मुंबई

To

Accountant General, Maharashtra (Accounts and Entitlement)-I, Maharashtra, Mumbai.

Accountant General, Maharashtra (Accounts and Entitlement)-II, Maharashtra, Nagpur.

Accountant General, Maharashtra (Audit)-I, Maharashtra, Mumbai.

Accountant General, Maharashtra (Audit)-II, Maharashtra, Nagpur.

The Pay and Accounts Officer, Mumbai.

The Resident Audit Officer, Mumbai.

The Secretary to Governor.

The Principal Secretary to Chief Minister.

The Principal Secretary to Deputy Chief Minister.

Private Secretaries to all Ministers and Ministers of State.

All Departments of Mantralaya.

All Divisional Commissioners.

All Heads of Departments and Heads of Offices under the various Departments of the Mantralaya.

*The Registrar, High Court of Judicature, Original Side, Maharashtra State, Mumbai.

*The Registrar, High Court of Judicature, Appellate Side, Maharashtra State, Mumbai.

*The Secretary, Maharashtra Public Service Commission, Mumbai.

*The Secretary, Maharashtra Legislature Secretariat, Mumbai.

*The Registrar, Office of the Lokayukta and Upa Lokayukta, Mumbai.

*The Joint Director, All India Institute of Local Self Government, Mumbai.

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Senior Research Officer, Pay Research Unit, Government of India, Ministry of Finance (Department of Expenditure) Room No. 261, North Block, New Delhi.

Director, Accounts and Treasuries, Mumbai.

The Chief Auditor, Local Fund Accounts, Mumbai.

*Deputy Chief Auditor, Local Fund Accounts, Mumbai/Pune/Nagpur/Aurangabad/Nashik/Amravati.

The District Audit Officer, Local Fund Accounts, Mahatma Phule Agricultural University, Rahuri, Dist. Ahmednagar.

The District Audit Officer, Local Fund Accounts, kokan Agricultural University, Dapoli. Dist. Ratnagiri.

Public Relation Officer, Mantralaya, Mumbai

The Chief Executive officers of all Zilla Parishads.

The Chief Accounts and Finance Officers of all Zilla Parishads.

Director, Education, Maharashtra State, Pune. (25 copies)

Director, Higher Education, Maharashtra State, Pune. (25 copies)

Director of Arts, Maharashtra State, Mumbai. (40 copies)

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*By letter.